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Sent: Thursday, December 03, 2009 4:38 PM
To: York, Scott; Buckley, Susan; Miller, Stevens; Burton, Jim; Waters, Lori; Kurtz, Sally; Burk, Kelly (Supervisor); McGimsey, Andrea; Delgaudio, Eugene
Cc: Nusbaum, Keith; Jenkins, Debra; Suzdak, Valerie; Vidaver, Mary M. Bathory; Echard, Jessica; Lithgow-Foidl, Naomi; Tool, Juanita; Khalial Withen; dferguso@loudoun.gov; Yudd, Charles; Gardner, Stephen
Subject: Washington Immanuel Presbyterian Church Update
Attachments: 11-2-09 Wash Imm PC Findings for Denial Response (L0185544).DOC

Dear Chairman York and Members of the Board of Supervisors:

Given the extensive agenda for Monday's public hearing, I'd like to provide you with this update so I can be as concise as possible at the public hearing.

To address the pump and haul issue, I thought it would be helpful to provide a list of facts similar to what was provided during the Transportation and Land Use Committee (TLUC) review of the pump and haul request, which pre-empted the Board of Supervisors' approval of the request on September 1st. Unfortunately, many of these facts were not discussed in detail at a Planning Commission Work Session, which was recommended by Staff. At the October 15th public hearing, the Planning Commission voted to recommend denial of the SPEX on a 5-3-1 vote (the church's response to the findings for denial are attached). The TLUC appropriately determined that the uniqueness of the site's characteristics and constraints warrant the use of a pump and haul system. These characteristics and constraints, along with additional facts, are as follows:

- The pump and haul system has been in place on the property since 1998 and will remain in place regardless of the outcome of the SPEX;
- There is no other wastewater option available (The site doesn't perc for a septic system and there is no sewer line available);
- The conditions of approval limit the amount of people permitted in the church, or on the property (the applicant is agreeable to the conditions of approval listed in the staff report);
- The flow rate for the church use is less than the flow rate for 1 single family home - the conditions of approval reinforce this fact (a table illustrating the flow rates was provided to the TLUC);
- The pump and haul request was first processed through the TLUC and Board of Supervisors to resolve the referral comments from the Health Dept. and Community Planning Staff;
- Pump and haul systems have more oversight than septic systems, which include annual or semi-annual Health Dept. inspections and the submission of pumping receipts to the Health Dept.;
- There are at least 5 churches in the rural policy area currently operating on permanent pump and haul systems; and
- Other pump and haul systems have been approved for use in the rural policy area despite Staff opposition (examples were provided to the TLUC).

To resolve the remaining outstanding issues listed in the staff report, the church has submitted an updated plat that corrects the minor notational issues brought forward in a November 16th zoning referral. Due to the 35-day restriction on the submission of new materials, this plat will be considered by Staff as a new item at the public hearing.

If you should have any questions or comments about any aspect of the SPEX, please feel free to contact me at your earliest convenience. The church would greatly appreciate your support of this application. Thank you.

Mike

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